



2024:JHHC:1598

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Rev. No. 881 of 2022

Md. Shahjahan Ansari @ Shahnjan Petitioner
Versus

1. Rajina Khatoon
2. Fayjan Ansari (Minor) Opp. Parties

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner : Mr. Raja Ravi Shekhar Singh, *Amicus Curiae*
For the Opp. Parties : Mr. Akshay Kumar, Advocate

Oral Order

08 / Dated : 12.01.2024

1. None appeared on behalf of the petitioner. Order sheet of 02.01.2024 reveals that on that date also, no one had appeared on behalf of the petitioner. It appears that the petitioner is not interested in pursuing the instant case and no fruitful purpose will be served by granting further adjournment.
2. Under the circumstance, Mr. Raja Ravi Shekhar Singh, learned counsel, is appointed as *Amicus Curiae* to assist this Court.
3. Perused the impugned order dated 30.04.2022 which has been passed under Section 125 of Cr.P.C. directing the petitioner to pay maintenance of Rs. 2500/- to opposite party no. 1 and Rs. 2500/- to opposite party no. 2.
4. It is submitted by learned *Amicus Curiae* that the petitioner is a poor labourer and is earning his livelihood from tailoring and agriculture and he has no sufficient means to pay the maintenance amount. Furthermore, opposite party no. 1 was living in adulterous relationship with another person.
5. Learned Counsel for the opposite parties has defended the impugned order and submitted that the allegation of adulterous relationship has not been proved. Learned Court as recorded definite finding of fact regarding falsity of allegation of adulterous relationship. Indisputably, the petitioner is working as a tailor master in Mumbai and has adequate income and has deliberately deserted his wife and infant son.

On perusal of the record of the case and the amount of maintenance ordered considering the occupation of the petitioner, it cannot be said to be excessive. I do not find any illegality or infirmity in the impugned order.

Revision Petition stands rejected.

Before parting with this order, I wish to record that I have been ably assisted by learned *Amicus Curiae* Mr. Raja Ravi Shekhar Singh. Member Secretary, JHALSA, Ranchi to make payment of the prescribed remuneration to him.

Let a copy of this order be sent to the Member Secretary, JHALSA, Ranchi, for the needful.

(Gautam Kumar Choudhary, J.)